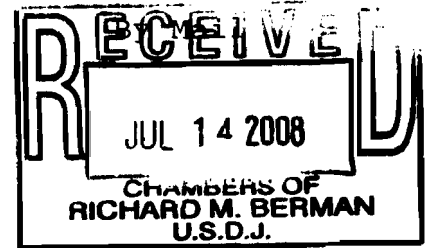


HOWARD GOTBETTER
P.O. Box 102 Radio City Station
New York, NY 10101 -0102

July 10, 2008

Hon. Richard M. Berman, U.S.D.J.
United States Courthouse
500 Pearl Street, New York, NY 10007

REF.: Gotbetter vs. Wendt, et. al.
Docket No. 08 CV 4868 (RMB)



Dear Judge Berman:

I am plaintiff pro se and feel I must reply to the letter from the lawyer for defendants dated June 25, 2008 seeking to make a motion.

That letter violates your Rule 2A and should be ignored since it is NOT double-spaced as your rule mandates. That submission is NOT a letter but really a three-page single spaced memo of law.

The letter from defendants counsel misrepresents what my complaint is about and misrepresents the exact nature of defendants.

My action is NOT an attempt to attack/review a state court judgment as the defendants suggest. My action is against a judge who became a private citizen when he functioned as advocate/lawyer for Trump in Housing Court (a court of limited-jurisdiction). The three Appellate Term Judges (three blind mice) had no jurisdiction to "rubber stamp" the Housing Court decision rendered without jurisdiction.

Judge Wendt, the Housing Court judge, was in a court of limited jurisdiction. When he became an advocate for Trump (without any request) he acted in excess of jurisdiction and is not entitled to immunity.

As this shows Wendt is not entitled to immunity, the same defect thus applies to the three other defendants who acted in excess of any alleged jurisdiction is "affirming" Wendt's decision.

I enclose an extra copy of my complaint for your convenience. If necessary I will amend my complaint to make any motion to dismiss a waste of time and energy by the Court to rule upon it.

This action should proceed through discovery. AT THE BARE MINIMUM WENDT'S DEPOSITION IS NECESSARY.

To keep matters short I have not cited cases to support me.

In conclusion, no dismissal motion should be made and this action should proceed in the normal course and eventually reach a Jury.

Copy: Atty. Anspach

Respectfully submitted:

HOWARD GOTBETTER:

A handwritten signature in cursive script that reads "Howard Gotbetter".

MEMO ENDORSED

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We can discuss at conference on
7/17/08 at 9:15 a.m.

SO ORDERED:
Date: 7/14/08

Richard M. Berman
Richard M. Berman, U.S.D.J.

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